

S-03 (Rev. 9/97)

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO

RECEIVED

APR 3 2012

JAMES BONINI, Clerk
CINCINNATI, OHIO

Troikijah Reid

Da'Shonda Reid

(Enter above the full name of the plaintiff in this action)

v.

Cedar Fair Corporation

DBA Kings Island

(Enter the above full name of the defendant or defendants in this action)

Case No. **1:12 CV 336**

J. BARRETT

J. Wuhman

COMPLAINT UNDER
42 U.S.C. 2000e-5(f)(1)

I. Parties

(In item A below, place your name in the first blank and place your present address and telephone number (or telephone number where you can be reached) where indicated in the following blanks.)

A. Name of Plaintiff Troikijah Reid / Da'Shonda Reid
Address 150 Silverwood Circle Springfield, OH 45246
Telephone No. (513) 593-7726

Under 42 U.S.C. 2000e-5(f)(1) suit may only be "brought against the respondent named in the charge" of unlawful employment practice you filed with the Ohio Civil Rights Commission and/or the Equal Employment Opportunity Commission. ATTACH A COPY OF THE CHARGE YOU FILED WITH THE OHIO CIVIL RIGHTS COMMISSION AND/OR THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION TO THIS COMPLAINT. In item B below list the name and address of the employer against whom you filed the charge. In item C below, list the name and address of any other person(s) you named in the charge you filed with the Ohio Civil Rights Commission and/or the Equal Employment Opportunities Commission.

B. Defendant Cedar Fair Corporation DBA Kings Island
(As named in the attached charge)
Address 6300 Kings Island Drive
Kings Mills, OH 45034

C. Additional defendants (as named in the attached charge):

II. The Court has jurisdiction under 42 U.S.C. §2000e-5(f)(1).

- A. The date the notice of right to sue was issued by the Equal Employment Opportunity commission was Feb. 7, 2012.
- B. The date you received the notice of right to sue was Feb. 8, 2012.
- C. ATTACH A COPY OF THE NOTICE OF RIGHT TO SUE TO THIS COMPLAINT.

III. Statement of Claim

The Equal Employment Opportunities Act provides, in part, that

(a) it shall be an unlawful employment practice for an employer --

- (1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin.

42 U.S.C. §2000e-2(a)(1). Other unlawful employment practices are set out in 42 U.S.C. §2000e-2(a) through (d).

State here as briefly as possible the *facts* of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach an extra sheet if necessary.

Troikijah Reid whom religion is rastafarian. On or about April 16th, 2011 I was denied religious accommodations and was sent home. On or about April 25th, 2011, Karen Darpel asked Troikijah would she cut her dreadlocks or she stated no due to religious beliefs and Karen Darpel told Troikijah she could no longer work.

for Kings Island. Upon being told she was terminated, Troickijah continued to receive calls from her supervisor at Rivertown pizza informing her of her work schedule.

IV. Relief

(State briefly exactly what you want the Court to do for you. Make no arguments. Cite no cases or statutes.)

Compensatory Damages = \$9,168

Pain & Humiliation = \$6,750

Punitive Damages = \$300,000

Total Amount = \$315,918

Nashonda Reid / Troickijah Reid
(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

4-10-12
(Date)

Nashonda Reid / Troickijah Reid
(Signature of Plaintiff)

Settlement Proposal

To: Cedar Fair Entertainment Company

One Cedar Point Drive

Sandusky, Ohio 44870

December 7, 2011

On April 16, 2011 Troikijah Reid was terminated from Kings Island, because she refused to cut her dreadlocks based on religious beliefs. The EEOC has determined that based on the facts Troikijah's Title VII Civil Rights were violated.

For relief we are asking for as follows:

- Compensatory damages in the amount of \$9,168 based on an estimated amount of 27 weeks and 40 hours Troikijah would've worked, including all employee perks.**
- Pain & Humiliation Damages in the amount of \$6,750(\$50 for each day she would've tentatively worked)**
- Punitive damages in the amount of \$300,000the maximum amount allowed by the state of Ohio. The total amount of damages seeking is \$315,918.**
- Revision to the "extreme hairstyle" & exclusion of dreadlocks from employment policy**

Upon reading this proposal and an agreement are not met, we are willing to take it to the next level of a Federal Lawsuit including media awareness.

Please feel free to give me a call at (513) 593-7726 or I can be reached via email abijahparalegal@hotmail.com with any questions or concerns.

Sincerely,

Da'Shonda Reid (Mother of Troikijah)

The Particulars are as follows:

1. My daughter Troikijah Reid was employed by Cedar Fair Corporation/ Kings Island
2. She is a Rastafarian – according to Wikipedia Rasta is a new religious movement that arose in a Christian culture in Jamaica in the 1930's. Leviticus 21:5 – "They shall not make baldness upon their head, neither shall they shave off the corner of their head, nor make any cutting in the flesh."
3. Her religion prohibits her from cutting her hair.
4. She was hired on March 6, 2011. Her dreadlocks were in plain view.
5. On April 8th, 2011 @ 5pm she arrived at Kings Island to receive her uniforms and her photo i.d., again her dreadlocks were in plain view.
6. On April 9th 2011, from 9am-3pm Troikijah attended her first day of training.
7. On April 16th @ 9am Troikijah showed up for work.
8. She took out her i.d card to be scanned.
9. After going through security she was tapped on the shoulder by Karen Darpel, Human Resource Director.
10. Karen stated at that time that "because she has dreads she can't work there."
11. Karen also asked Troikijah to "cut her hair if she wants to continue working for Kings Island."
12. Troikijah refused due to her beliefs to cut her hair and Karen Darpel told her to leave.
13. There were three other employees who over-heard Karen tell Troikijah to cut her hair or leave.
14. One of the individuals was a white female named Angie, her son works for Kings Island.
15. During the week of April 17th – 23rd Troikijah repeatedly received phone calls from her supervisor Alex Hancock reminding her of her work schedule.
16. On April 25th @ 4:41pm Karen Darpel boldly called Troikijah and asked her again "will she cut her dreadlocks off?"
17. Troikijah said "No."
18. Karen Darpel said "o.k."
19. I believe that Kings Island failed to reasonably accommodate Troikijah's religious beliefs.
20. I believe that Troikijah was discriminated against in violation of Title VII of the Civil Rights Act of 1964 and state law because of religion.

IEP Individualized Education Program

Great Oaks Institute of Technology

T. [REDACTED] P. [REDACTED]

This IEP will be implemented during the regular school term unless noted in general factors.

CHILD'S INFORMATION

NAME: T. [REDACTED] R. [REDACTED]
 ID NUMBER: 284081 GRADE: 11 /12
 DATE OF BIRTH: [REDACTED] 1994 GENDER: F
 STREET: 150 Silverwood Cr #150
 CITY: Cincinnati STATE: OH ZIP: 45246
 DISTRICT OF RESIDENCE: 044677 Princeton City SD
 COUNTY OF RESIDENCE: Hamilton
 DISTRICT OF SERVICE: 051060 Great Oaks Inst Of Technology

Will the child be 14 years old before the end of this IEP? ☒ YES ☐ NOIs the child a ward of the state? ☐ YES ☒ NO

If yes, provide the name of the surrogate parent: _____

PARENTS'/GUARDIAN'S INFORMATION

NAME: Da'Shonda Reid
 STREET: 150 Silverwood Cr #150
 CITY: Cincinnati STATE: OH ZIP: 45246
 HOME PHONE: 5135937726 WORK PHONE: _____
 CELL PHONE: (513) 593-7726 EMAIL: _____

NAME: _____
 STREET: _____
 CITY: _____ STATE: _____ ZIP: _____
 HOME PHONE: _____ WORK PHONE: _____
 CELL PHONE: _____ EMAIL: _____

OTHER INFORMATION**MEETING INFORMATION**

MEETING DATE: 03/29/2012

MEETING TYPE:

- ☐ INITIAL IEP
☒ ANNUAL REVIEW
☐ REVIEW OTHER THAN ANNUAL REVIEW

- ☐ AMENDMENT
☐ OTHER

IEP TIMELINES

ETR COMPLETION DATE: 03/02/2011

NEXT ETR DUE DATE: 03/02/2014

IEP EFFECTIVE DATES

START: 03/29/2012

END: 03/28/2013

NEXT IEP REVIEW: 03/28/2013

IEP BY 3RD BIRTHDAY? ☐ YES ☐ NO
 (If transitioning from EI services)

IEP FORM STATUS (checked when complete)

- ☒ 1. FUTURE PLANNING
☒ 2. SPECIAL INSTRUCTIONAL FACTORS
☒ 3. PROFILE
☒ 4. POSTSECONDARY TRANSITION
☒ 5. POSTSECONDARY TRANSITION SERVICES
☒ 6. MEASURABLE ANNUAL GOALS
☒ 7. SPECIALLY DESIGNED SERVICES
☒ 8. TRANSPORTATION AS RELATED SERVICE
☒ 9. NONACADEMIC & EXTRA CURRICULAR
☒ 10. GENERAL FACTORS
☒ 11. LEAST RESTRICTIVE ENVIRONMENT
☒ 12. STATEWIDE AND DISTRICT TESTING
☒ 13. MEETING PARTICIPANTS
☒ 14. SIGNATURES
☒ 15. VISUAL IMPAIRMENTS

AMENDMENTS: (Complete only if amending the IEP)

IEP SECTION AMENDED	THE SCHOOL DISTRICT AND PARENTS HAVE AGREED TO MAKE THE FOLLOWING CHANGES TO THE IEP	DATE OF AMENDMENT	PARTICIPANT & ROLE

IEP Individualized Education Program

Great Oaks Institute of Technology

T. [REDACTED] R. [REDACTED]

4**POSTSECONDARY TRANSITION**

FOR 14 YEARS AND OLDER (or younger if appropriate)

A STATEMENT OF TRANSITION SERVICE NEEDS OF THE CHILD THAT FOCUSES ON THE CHILD'S COURSE OF STUDY

T. [REDACTED] needs to finish the vet assisting program and maintain a 3.0 average in her classes in order to prepare for post secondary education and employment. For the 2012-2013 school year, T. [REDACTED] will take Vet Assisting II, English 12, Environmental Science, Geometry and Government. To prepare for college, she should maintain a 3.0 gpa in her classes.

FOR 16 YEARS AND OLDER (or younger if appropriate)

AGE APPROPRIATE TRANSITION ASSESSMENTS

Summarize the results of the age-appropriate transition assessment data in the space below, indicating the source of the assessment(s) and the relevant information for transition planning

T. [REDACTED] participated in a career and technical assessment on September 17, 2010. The results of the assessment indicated that T. [REDACTED] has a high interest in careers that involve humanitarian, accommodating and plant and animal activities. T. [REDACTED] has average learning ability and outstanding clerical and form perception. The test of adult basic education indicated that T. [REDACTED] has reading comprehension skills at the 5th grade 7th month level and math computation skills at the 7th grade level.

EEOC FORM 131 (11/09)

U.S. Equal Employment Opportunity Commission

PERSON FILING CHARGE

Troikijah Reid

THIS PERSON (check one or both)



Claims To Be Aggrieved



Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

473-2011-00949

Ms. Karen Darpel
HR Director
CEDAR FAIR CORPORATION DBA KINGS ISLAND
6300 Kings Island Drive
Kings Mills, OH 45034

NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:



Title VII of the Civil Rights Act (Title VII)



The Equal Pay Act (EPA)



The Americans with Disabilities Act (ADA)



The Age Discrimination in Employment Act (ADEA)



The Genetic Information Nondiscrimination Act (GINA)

The boxes checked below apply to our handling of this charge:

1. ☐ No action is required by you at this time.
2. ☐ Please call the EEOC Representative listed below concerning the further handling of this charge.
3. ☒ Please provide by **29-JUN-11** a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
4. ☒ Please respond fully by **29-JUN-11** to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
5. ☐ EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by to

If you DO NOT wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Maria E. Saldivar,
Investigator

EEOC Representative

Telephone

(513) 684-2847

Cincinnati Area Office
John W. Peck Fed. Bldg
550 Main St Room 10-019
Cincinnati, OH 45202
Fax: (513) 684-2361

Enclosure(s):



Copy of Charge

CIRCUMSTANCES OF ALLEGED DISCRIMINATION



Race



Color



Sex



Religion



National Origin



Age



Disability



Retaliation



Genetic Information



Other

See enclosed copy of charge of discrimination.

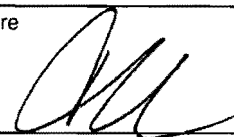
Date

June 8, 2011

Name / Title of Authorized Official

Wilma L. Javey,
Director

Signature



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE
(CONCILIATION FAILURE)To: Troikijah Reid
150 Silverwood Circle
Cincinnati, OH 45246From: Cincinnati Area Office
John W. Peck Fed. Bldg
550 Main St Room 10-019
Cincinnati, OH 45202On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

473-2011-00949

Maria E. Saldivar,
Investigator

(513) 684-2847

TO THE PERSON AGGRIEVED:

This notice concludes the EEOC's processing of the above-numbered charge. The EEOC found reasonable cause to believe that violations of the statute(s) occurred with respect to some or all of the matters alleged in the charge but could not obtain a settlement with the Respondent that would provide relief for you. In addition, the EEOC has decided that it will not bring suit against the Respondent at this time based on this charge and will close its file in this case. This does not mean that the EEOC is certifying that the Respondent is in compliance with the law, or that the EEOC will not sue the Respondent later or intervene later in your lawsuit if you decide to sue on your own behalf.

- NOTICE OF SUIT RIGHTS -

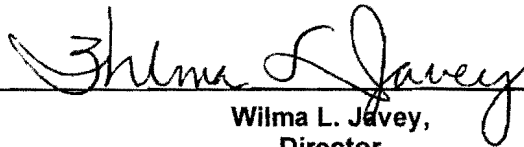
(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



Wilma L. Javey,
Director

Enclosures(s)

FEB 07 2012

(Date Mailed)

CC: Cindy Guenther
Director, Human Resources
CEDAR FAIR CORPORATION
DBA KINGS ISLAND
6300 Kings Island Drive
Kings Island, OH 45034



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Cincinnati Area Office

John W. Peck Fed. Bldg
550 Main Street, Suite 10019
Cincinnati, OH 45202
Intake Information Group: (800) 669-4000
Intake Information Group TTY: (800) 669-6820
Cincinnati Status Line: (866) 408-8075
Cincinnati Direct Dial: (513) 684-3967
TTY (513) 684-2074
FAX (513) 684-2361

Charge Number: 473-2011-00949

Troikijah Reid
150 Silverwood Circle
Cincinnati, OH 45246

Charging Party

And

Cedar Fair Corporation
DBA Kings Island
6300 Kings Island Drive
Kings Mills, OH 45034

Respondent

DETERMINATION

I issue the following determination as to the merits of the subject charge filed under Title VII of the Civil Rights Act of 1964.

The Respondent is an employer within the meaning of Title VII of the Civil Rights Act of 1964. All requirements for coverage have been met.

The Charging Party alleges that she was discriminated against because of her religion in that she was denied religious accommodations and was sent home.

The Respondent denies the allegations.

The evidence obtained during the investigation substantiates that the Charging Party was denied religious accommodations and discharged in violation of Title VII of the Civil Rights Act of 1964, as amended.

Upon finding that there is reason to believe that violations have occurred, the Commission attempts to eliminate the alleged unlawful practice by informal methods of conciliation.

Therefore, the Commission now invites the parties to join with it in reaching a just resolution of this matter. The confidentiality provisions of Title VII of the Civil Rights Act of 1964, as well as the Commission's Regulations apply to the information obtained during conciliation.

Charge Number: 473-2011-000949

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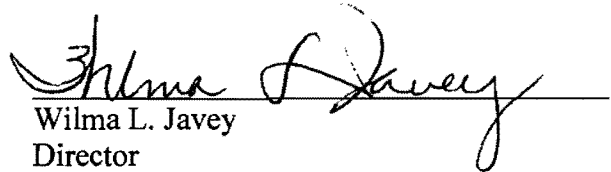
If the Respondent declines to discuss settlement or when, for any other reason, a settlement acceptable to the Office Director is not obtained, the Director will inform the Respondent of such and advise the Respondent of the court enforcement alternatives to the aggrieved persons and the Commission.

A Commission representative will contact Respondent in the near future to begin conciliation.

On Behalf of the Commission:

OCT 27 2011

Date



Wilma L. Javey
Director
Cincinnati Area Office